



**PUBLIC WORKS –
ENGINEERING DEPARTMENT**

276 Fourth Avenue Chula Vista CA 91910

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**AUTHORIZATION &
AGREEMENT FOR
TEMPORARY
ENCROACHMENT INTO
CITY
RIGHT-OF-WAY**
File No. 0735-10-TF-321

FORM 5514-A
Temporary Traffic Count Installation

Location: _____

Permit No.: _____ Application Fee: \$50.00 (Acct. No. 16393-3741, Trans 3802)

Applicant, please complete lines checked (✓)

Pursuant to Chapter 12.28 of the Chula Vista Municipal Code, permission is hereby granted to:

✓

Company/Applicant's name

✓

Phone No.

✓

Mailing address

City

State

Zip

(hereinafter "Permittee") to temporarily install, place or store the herein described encroachment within a portion of right-of-way belonging to the City Of Chula Vista (hereinafter "City").

Whereas, the Permittee has requested the permission of City to encroach on City's right of way adjacent to and for the direct benefit of the property at the above described location to use said right-of-way for the following use:

✓

(hereinafter "Temporary Encroachment"). City's permission is hereby granted to place the above-mentioned Temporary Encroachment on the real property belonging to City as described above in accordance with the following conditions:

1. This permit is effective between the dates of _____ and _____, after which the Temporary Encroachment shall be removed, or Permittee may request City to extend the effective dates. Approval of such request is at the discretion of City's City Engineer and such extension of time is not to exceed the original time limit of this permit.
2. Said Temporary Encroachment shall, in no way interfere with or disturb any existing facilities including: manholes, vaults, meters, transformers, valves (gas or water) owned by utility companies, or curb inlets/outlets, storm drain cleanouts or sewer manholes owned and maintained by the City.
3. Maintenance, removal or relocation of the above-mentioned Temporary Encroachment shall be the sole responsibility of the Permittee, or lessee and at no expense to City.
4. If the Temporary Encroachment consists of temporary placement of construction materials or equipment (including trash bins) within the area on the street-side of the curb line or obstructs any part of the public sidewalk:
 - a. Permittee, at Permittee's sole cost, shall provide barricades *with flashers* for the duration of the encroachment as required by the City Engineer.

- b. Encroachment, if over thirty-six (36) inches in height, shall not be placed within twenty (20) feet of any driveway approach on the neighboring properties to prevent obstructing the vision of drivers exiting said driveway.
- c. The City Engineer may require Permittee to furnish a certificate of Insurance *with the City Of Chula Vista as Additional Insured* indicating a minimum liability coverage in the following amounts:
 1. Bodily Injury: \$500,000 each person
\$1,000,000 each occurrence
\$1,000,000 aggregate products and completed operations
 2. Property damage: \$250,000 each occurrence
\$500,000 aggregate(A combined single limit policy with aggregate limits in the amount of \$2,000,000 will be considered equivalent to the required minimum.)
5. The Encroachment shall be installed and maintained in a safe and sanitary manner as determined by City's City Engineer.
6. Permittee shall restore any surface improvements, including landscaping, disturbed by this encroachment to their original condition.

This permit is revocable upon written notice by City to Permittee, and upon such notice, the installation/placement must be removed, or relocated, as may be specified in writing by the City engineer at Permittee's expense immediately upon request. If Permittee fails to remove or relocate the Encroachment within the period allotted, City may cause such work to be done and the cost thereof shall be billed to Permittee by City.

Permittee shall defend, indemnify, protect and hold harmless the City, its elected and appointed officers and employees, from and against all claims for damages, liability, cost and expense (including without limitation attorneys' fees) arising out of the conduct of the Permittee, or any agent or employee, subcontractors, or others in connection with the execution of the work covered by this permit, except only for those claims arising from the sole negligent or sole willful conduct of the City, its officers, or employees. Permittee's indemnification shall include any and all costs, expenses, attorneys' fees and liability incurred by the City, its officers, agents, or employees in defending against such claims, whether the same proceed to judgment or not. Further, Permittee at its own expense shall, upon written request by the City, defend any such suit or action brought against the City, its officers, agents, or employees. Permittee's indemnification of City shall not be limited by any prior or subsequent declaration by the Permittee.

Additional information/requirements for the Temporary Traffic Count Installation into City Right- Of-Way Encroachment Permit

Need and Purpose: any one requiring the need to install traffic data collection equipment within or across any public roadway must obtain a Temporary Traffic Count Encroachment Permit. The permit requires submittal of a traffic control plan since the installation, maintenance, and removal impact the public-at-large.

Additional information and requirements:

- Any "Temporary Traffic Count" installed without the required encroachment permit will be removed by the City of Chula Vista at the responsible party/company's expense.
- When construction interrupts the normal function of a roadway, temporary traffic control is necessary to avoid confusion and to ensure the smooth passage of traffic. A Traffic Control Plan (TCP) shall be submitted to the City of Chula Vista for review for all work performed with the City right-of-way.

The objective of a TCP is to permit construction activities within the City right-of-way while maintaining a safe, efficient movement of traffic, pedestrians (per ADA requirements), and bicyclists. It is the responsibility of those performing work on or adjacent to a public road in the City of Chula Vista to install and maintain appropriate traffic control in accordance with an approved traffic control

plan. Also, applicant shall not attach any of their equipment to any existing traffic signals.

- The encroachment permit shall be considered open and active, which may require renewing, until a hard or e-mailed copy of the collected traffic count data has been received by the City of Chula Vista's Traffic Section and the permit has been signed off for completion.

The undersigned Permittee hereby accepts the foregoing Temporary encroachment Permit upon the terms above set forth and agrees to all of the conditions and covenants on its part to be performed. It is understood and agreed that, in addition to the above conditions, all applicable conditions of the City of Chula Vista Municipal Code are incorporated herein by reference as if set forth in full.

Permittee:

✓ Signature: _____ ✓ Date: _____

✓ Print Name: _____

City Of Chula Vista:

CITY ENGINEER

By: _____ Date: _____

The following is to be completed by the Traffic Engineering Section Staff:

Has the Traffic Count Data been received? Yes: No:

Has the Permitted Work been completed: Yes: No:

Permit has been signed off by:

Signature:

Title:

Date: